

Vincent P. Nolan
188 Morris Turnpike, Randolph, New Jersey 07869
973-462-9161

March 2, 2020

The Honorable Edward S. Kiel, MJ
Martin Luther King Jr. Federal Building and U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

I/M/O: Malibu Media, LLC v. Nolan; 2:18-cv-13737-WJM-ESK

Dear Judge Kiel,

Enclosed please find detailed copies of the discovery requests for Production, Admissions and Interrogatories, along with Certification of Service upon the Attorney for the Plaintiff.

The Defendant asks that once Discovery requests are received by the Attorney for the Plaintiff, that the Plaintiff respond within 30 calendar days of receipt. The defendant has no expectations to add parties. However, Defendant will consider a Motion to Dismiss as this action proceeds, once results of all Discovery are returned to the Defendant.

Additionally, since Attorney for the Plaintiff, will be post-surgery and as such has been granted leave to attend the conference meeting scheduled for March 31, 2020, via telephone, the Defendant seeks clarification as to whether Your Honor would request in person or telephone conference on the part of the Defendant in this matter.

Respectfully Yours.

Vincent Nolan
Defendant *ProSe*

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March 2, 2020

****VIA Certified and E-Mail delivery****

Patrick J. Cerillo, LLC
4 Walter Foran Blvd.
Suite 402
Flemington, NJ 08822

I/M/O: Malibu Media, LLC v. Nolan; 2:18-cv-13737-WJM-ESK

Dear Mr. Cerillo,

Enclosed please find discovery requests for Production, Admissions and Interrogatories, along with Certification of Service for same.

The Defendant asks that once Discovery requests are received by the Attorney for the Plaintiff, that the Plaintiff respond within 30 calendar days of certified mail receipt.

Sincerely Yours.

Vincent Nolan

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

MALIBU MEDIA, LLC,

Plaintiff

v.

VINCENT NOLAN

Defendant

Case No. 2:18-cv-13737

REQUEST FOR ADMISSIONS

Defendant, Vincent Nolan, requests that Plaintiff, Malibu Media, LLC, admit or deny each of the following statements. If objection is made, please state the reason for the objection. If denying the matter, please set forth in detail the reasons why the answering party, Malibu Media, LLC, denies each admission.

1. Admit that the process Malibu Media, LLC utilizes to identify copyright infringement is limited by internet design such that the process returns are limited to reaching only the IP address of a copyright infringement but cannot access the identity of the specific offending computer or individual in the condition that the sole connection of the computer or person to the internet and IP address is through a wireless router.
2. Admit that Malibu Media, LLC with full knowledge of the inability to conclusively identify a person or computer as an infringer of its copyrights through IP address

identification, proceeds forward in civil action lawsuits with the intent to monetize such suits upon uninformed defendants.

3. Admit that the intention of the hundreds of copyright lawsuits brought before the court, by Malibu Media, LLC, in the 24 months ending November 1, 2019, is an attempt to monetize a US Dollar amount that is a significant portion of the revenue stream of Malibu Media, LLC.

Dated: March 2, 2019

By: _____+

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188 Morris Turnpike
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973-462-9161
vpnolan@live.com

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

MALIBU MEDIA, LLC,

Plaintiff

v.

VINCENT NOLAN

Defendant

Case No. 2:18-cv-13737

REQUEST FOR INTERROGATORIES

Defendant, Vincent Nolan, requests that Plaintiff, Malibu Media, LLC, answer the following interrogatories regarding this matter. If objection is made, please state the reason for the objection. If denying the matter, please set forth in detail the reasons why the answering party, Malibu Media, LLC, cannot or will not provide answers to the interrogatories contained herein.

1. Can Malibu Media, LLC produce concrete and demonstrable before the court, evidence that the process of utilizing IP address tracking will conclusively identify through internet connection, a specific computer and user Malibu Media is accusing of copyright infringement?
2. How many John Doe lawsuits has Malibu Media initiated in New Jersey in the last 24 months and how many have been settled out of court?
3. What is the identity, geographic location and name/s of the person or persons who are active operators or employees of the party that Malibu Media, LLC utilizes to monitor the

internet connections and provide data that is the basis behind the complaint originating this matter?

4. What is the professional certification of the party that Malibu Media, LLC utilizes to monitor the internet connections and provide data that is the basis behind the complaint originating this matter?
5. Are the thousands of Malibu Media, LLC initiated “John Doe” lawsuits designed to be settled out of court in an effort to avoid legal precedent that could damage future monetizing of these lawsuits?
6. What is total revenue, in US Dollars, for the 24 months, ending November 1, 2019, from US located customers of your Malibu Media, LLC owned and operated website user subscriptions?
7. What is the total sum, in US Dollars, received via out of court settlement and default judgements, as a result of copyright lawsuits, for the 24 months ending November 1, 2019, for Malibu Media, LLC copyright lawsuits and total court awards for those copyright lawsuits where Malibu Media, LLC has actively taken the defendants to trial and won in the same period of time?
8. What is the total amount, in US Dollars, of attorney’s, court and third-party investigative fees paid by Malibu Media, LLC in support of Malibu Media, LLC initiated “John Doe” lawsuits?

Dated: March 2, 2020

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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

MALIBU MEDIA, LLC,

Plaintiff

v.

VINCENT NOLAN

Defendant

Case No. 2:18-cv-13737

REQUEST FOR PRODUCTION

Defendant, Vincent Nolan, requests that Plaintiff, Malibu Media, LLC, produce the following documentation regarding this matter. If objection is made, please state the reason for the objection. If denying the matter, please set forth in detail the reasons why the answering party, Malibu Media, LLC, cannot produce such documentation.

1. Specific technical detail, to include method and complete internet routing pathway from Plaintiff's origination point through the internet to include the path beyond the IP Address identified to identify in detail the MAC address of the specific offending computer that identifies conclusively the Defendant's computer and provides identification of that link from the MAC address of the Defendant's computer to Plaintiff's point of origination computer MAC address .
2. Recorded and dated tracking providing the internet routing pathway from Plaintiff's origination point for each and every alleged violation instance, by the Defendant, through

the internet to include the path beyond the IP Address identified in the Plaintiff's complaint to identify in detail the MAC address of the specific offending computer that identifies conclusively the Defendant's computer and provides identification of that link from the MAC address of the Defendant's computer to Plaintiff's point of origination computer MAC address .

3. Complete United States copyright registration documentation for each and every allegedly copyrighted title listed in Plaintiff's complaint, certified by and from the United States Copyright Office to include the date of registration request received by the United States Copyright Office and the date copyright granted by the United States Copyright Office for each and every title presented in Plaintiff's complaint.
4. Signed and dated Invoices and Proof of Service from named Process Service agency detailing Process Server's attempt for each of the three previous service attempts claimed as rationale for Plaintiff's filing for a requested fourth extension of service with the court in the period April 20, 2019 to April 24, 2019, wherein The Honorable Mark Falk MJ, allowed for a fourth and FINAL service extension, indicated by His Honor's own hand upon the order dated April 24, 2019. Defendant's demands and requires undeniable proof of each previous service attempts upon his person or property.

Dated: March 2, 2020

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vpnolan@live.com

Vincent P. Nolan
188 Morris Turnpike
Randolph, NJ 07868
T: (973) 462-9161
vpnolan@live.com

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

MALIBU MEDIA, LLC,

Plaintiff,

v.

VINCENT NOLAN,

Defendant.

Case No. 2:18-cv-13737

Discovery Date: March 2, 2020

CERTIFICATE OF SERVICE

I hereby certify that on March 2, 2020, I sent via US Post, the foregoing documents Discovery documents to the Clerk of the Court and that service was perfected on all counsel of record and interested parties via USPS mail.

By: _____
Vincent P. Nolan
Defendant - *ProSe*